



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF APRIL 19, 2013

Commissioner Yates called the meeting to order in Lincoln, Nebraska at 9:05 a.m. on April 19, 2013. It was established after a roll call that there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Kristin Yates, Vice Chairperson  
Bette Trumble  
Rita Griess

Janet Palmtag  
Arnold Nesbitt  
Eric Drumheller

##### *Staff Present*

Barbara Albers, Executive Director  
Paula Gardner, Unit Director  
Shelley Foss, Investigator III

Gretchen Eure, Unit Director  
Cat Souliere, Staff Assistant

#### II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the April 19, 2013 Commission meeting.

#### III. APPROVAL OF MINUTES

Commissioner Nesbitt moved to approve the March 15, 2013 Commission meeting minutes.

Commissioner Griess seconded the motion.

ROLL CALL:      Ayes:    Palmtag, Yates, Nesbitt, Griess  
                      Nays:  
                      Abstained:    Trumble, Drumheller  
                      Motion Carried

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## IV. ADDITIONS OR CORRECTIONS

Under Section VIII. SUCCESSFUL AGREEMENTS, please add NEB 1-12/13-2-43900, NEB 2-12/13-12-43412, and NEB 1-12/13-1-43720.

Under Section X. CONCILIATION, please add NEB 1-11/12-5-43182 and NEB 1-11/12-12-42828.

Under Section XIV. BUSINESS, please add 4. Contract Between NEOC and Department of Economic Development.

## V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

## VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

## VII. CASE DISPOSITIONS

NEB 1-12/13-10-43611 (Respondent was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 2-12/13-10-43369 (Respondent was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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NEB 2-12/13-8-42984 (Complainant was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

NEB 1-12/13-1-43722 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

NEB 1-11/12-3-43120 (Complainant and Respondent were present.)

Commissioner Palmtag moved for no reasonable cause.

Commissioner Trumble seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

NEB 3-12/13-11-2769-PA (Respondent was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

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NEB 2-12/13-10-43374 (Party present did not wish to speak.)  
Commissioner Drumheller moved for no reasonable cause.  
Commissioner Yates seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

Commissioner Nesbitt was out of the room.

NEB 2-11/12-6-42954 (Respondent was present.)  
Commissioner Griess moved for no reasonable cause.  
Commissioner Drumheller seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

Commissioner Nesbitt was out of the room.

NEB 2-12/13-9-43334 (Respondent was present.)  
Commissioner Drumheller moved for no reasonable cause.  
Commissioner Trumble seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

Commissioner Nesbitt was out of the room.

NEB 1-12/13-12-43684 (Respondent was present.)  
Commissioner Griess moved for no reasonable cause.  
Commissioner Palmtag seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                      Nayes:  
                      Abstained:  
                      Motion Carried

Commissioner Nesbitt was out of the room.

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NEB 3-12/13-1-2784-PA (A statement from the Complainant was read.)  
Commissioner Yates moved for no reasonable cause.  
Commissioner Griess seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-7-43270  
Commissioner Yates moved for reasonable cause.  
Commissioner Trumble seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Griess, Trumble  
                          Naves:  
                          Abstained:   Nesbitt  
                          Motion Carried

NEB 2-12/13-9-43335  
NEB 2-12/13-7-42977  
NEB 1-12/13-12-43674  
NEB 1-12/13-12-43680  
NEB 3-11/12-6-43227  
NEB 2-12/13-12-2775-PA  
NEB 2-11/12-4-42916  
NEB 1-12/13-11-43643  
NEB 2-12/13-11-43385  
NEB 1-11/12-4-43131  
NEB 1-12/13-10-43567  
NEB 2-12/13-10-43362  
NEB 1-12/13-1-2785-H  
NEB 1-12/13-12-2771-H  
NEB 1-12/13-10-2755-H  
NEB 2-12/13-2-2787-H  
NEB 2-11/12-10-42428

Commissioner Yates moved for no reasonable cause on the above cases.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Naves:  
                          Abstained:  
                          Motion Carried

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## VIII. SUCCESSFUL AGREEMENTS

NEB 1-12/13-11-2770-H

NEB 1-12/13-2-2791-H

NEB 1-12/13-1-2781-H

NEB 1-12/13-2-43900

NEB 2-12/13-12-43412

NEB 1-12/13-1-43720

Commissioner Yates moved to accept the agreements.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

## IX. ADMINISTRATIVE ACTIONS

### A. WITHDRAWALS

NEB 2-12/13-12-43426

NEB 2-12/13-3-2795

Commissioner Yates moved to accept the withdrawals.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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B. LACK OF JURISDICTION

NEB 2-12/13-2-2789-H

NEB 2-12/13-2-2790-H

Commissioner Yates moved to administratively close the above cases based on lack of jurisdiction.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

C. EEOC

NEB 1-12/13-10-43570

Commissioner Yates moved to adopt the findings of the EEOC.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

X.     CONCILIATION

NEB 1-11/12-5-43182

NEB 1-11/12-12-42828

Commissioner Yates moved to adopt the recommendations of the Director of Conciliations.  
Commissioner Trumble seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

NEB 3-11/12-3-43100

Commissioner Trumble moved to deny public hearing for this case.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:   Yates  
                          Motion Carried

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

NEB 1-09/10-9-2447-H	Naser vs. Reinke, Ryan G. d/b/a RGR Company, LLC
NEB 1-09/10-9-2448-H	Bahri vs. Reinke, Ryan G. d/b/a RGR Company, LLC
NEB 1-09/10-2-2477-H	Spooner vs. Reinke, Ryan G. d/b/a RGR Company, LLC
NEB 1-09/10-5-2512-H	Bahri vs. Reinke, Ryan G. d/b/a RGR Company, LLC

Commissioner Yates moved to dismiss the above cases.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

XIV. BUSINESS

1. Chief Standing Bear Breakfast, May 10, 2013, Embassy Suites in LaVista

Director Albers indicated that the agency has a table for this event and asked the Commissioners to let her know if they wish to attend.



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### 2. Budget

Director Albers told the Commission that the Appropriations committee recommended a five percent cut. She noted that we do not yet have a contract from EEOC. She anticipates that next year's contract will be lower but she also hopes that the agency will receive an upward modification this year.

### 3. Previous Month's Budget Reports

Commissioner Nesbitt moved to approve and accept the previous month's budget reports. Commissioner Yates seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

### 4. Contract Between NEOC and Department of Economic Development

Director Albers indicated that we received the contract. Gretchen Eure explained that the contract will provide housing training in six counties and then train those interested to be housing testers. If a complaint is filed in one of the counties, the testers may then be used as part of evidence gathering. The contract will require a minimum of five tests over the course of one year.

Director Albers asked the Commissioners about their planned attendance at the May and June meetings, to ensure a quorum present. The Commission decided to move the May Commission to Monday, May 20, 2013.

## XV. ADJOURNMENT

Commissioner Trumble moved to adjourn the April 19, 2013 Commission meeting at 11:28 a.m. Commissioner Yates seconded the motion.

ROLL CALL:           Ayes:     Drumheller, Palmtag, Yates, Nesbitt, Griess, Trumble  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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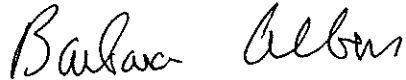
Respectfully submitted,



Cat Souliere  
Staff Assistant

April 19, 2013

Date

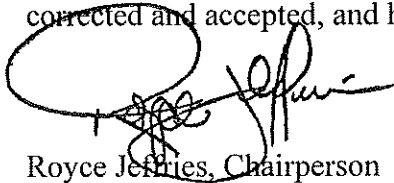


Barbara Albers  
Executive Director

April 22, 2013

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of April 19, 2013 have been corrected and accepted, and henceforth approved on this date.



Royce Jeffries, Chairperson

JUN 21 2013

Date